

The Gazette



of India

PUBLISHED BY AUTHORITY

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 No. 10] NEW DELHI, SATURDAY, MARCH 9, 1963/PHALGUNA 18, 1884
 

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 25th February 1963 :—

Issue No.	No. and Date	Issued by	Subject
30	G.S.R. 324, dated 21st February, 1963.	Ministry of Food and Agriculture.	Fixation of 15,000 tonnes of Ban-garuthee-galu rice as the quota for export from Andhra Pradesh to Maharashtra and Gujarat States.
31	G.S.R. 325, dated 22nd February, 1963.	Ministry of External Affairs.	Applying certain provisions of the Extradition Act, 1962 to Nepal from 22nd February, 1963.
32	G.S.R. 326, dated 25th February, 1963.	Ministry of Food and Agriculture.	Amendment to G.S.R. 614, dated 1st May, 1962.
	G.S.R. 327, dated 25th February, 1963.	Do.	Amendment to G.S.R. 695, dated 18th May, 1962.
33	G.S.R. 359, dated 25th February, 1963.	Do.	Direction for payment for sugarcane delivered to a producer of sugar at rates specified therein.
34	G.S.R. 360, dated 25th February, 1963.	Do.	The Rice (Madhya Pradesh) Price Control (Amendment) Order, 1963.
	G.S.R. 361, dated 25th February, 1963.	Do.	The Rice (Punjab) Price Control (Second Amendment) Order, 1963.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (1)**

**General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

(Department of W & H)

New Delhi, the 28th February 1963

**G.S.R. 398.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Development Officer-cum-Development Secretary (Andaman and Nicobar Islands) and Secretary and Financial Adviser to the Chief Commissioner (Andaman & Nicobar Islands) Recruitment Rules, 1963.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule hereto annexed.

3. **Number, classification, scale of pay, age limit, qualifications etc.**—The number of the said posts, the classification thereof, the scale of pay attached thereto, the age limit, qualifications and other matters relating thereto shall be as specified in columns 2 to 13 of the said Schedule.

4. **Disqualifications.**—(1) No person, who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said posts; and

(2) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said posts;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHE

**Recruitment Rules for the posts of Development Officer-cum-Development Adviser to the Chief Commissioner,**

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruit
1	2	3	4	5	6	7
1. Development Officer-cum-Development Secretary, Andaman & Nicobar Islands.	1	General Central Service Class I	Rs. 700—40— 1100—50 2— 1250. (Grade pay plus special pay Rs. 150/- p.m. in the case of IAS officers).	Not applicable	Not applicable	Not applicable

## DULE

*Secretary, Andamans and Nicobar Islands and Secretary and Financial  
Andaman and Nicobar Islands in Ministry of Home Affairs*

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer/ deputation & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer/ deputation grades from which promotion to be made	If a D.P.C. exists what is its composition	Circumstances under which U.P.S.C. to be consulted in making recruitment
8	9	10	11	12	13
Not applicable	Not applicable	By deputation for a period of 3 years.	<i>Tenure Post :</i> By deputation of an I.A.S. Officer. <i>Or</i> An officer having 6 to 8 years service under a State Govt. in a post of the rank of Deputy Collector and having experience of Planning and Community Development work.	Not applicable	As required under the rules.

1	2	3	4	5	6	7
2. Secretary and Financial Adviser to the Chief Commissioner, Andaman & Nicobar Islands.	1	General Central Service Class I	Rs. 700—40— 1100—5/2 —1250. (Grade pay plus special pay Rs. 150/- p.m. in the case of IAS officers).	Not applicable	Not applicable	Not applicable

8	9	10	11	12	13
Not applicable	Not applicable	By deputation for a period of 3 years.	By deputation of an I.A.S. officer.	Not applicable	As required under the rules.
Or					
A Central Service Class I officer or a C.S.S. Grade I Officer.					

[No. 4/31/62-AN.]

M. B. MALHOTRA, Under Secy.

### ORDER

*New Delhi, the 25th February 1963*

**G.S.R. 399.**—Whereas in the opinion of the Central Government the issue No. 9 dated the 22nd February, 1963 of the periodical entitled "China Today", edited, printed and published by Wang Chih-hsi for the Information Office of the Embassy of the People's Republic of China in India, New Delhi, contains prejudicial reports as defined in clause (7) of rule 35 of the Defence of India Rules, 1962;

Now, therefore, in exercise of the powers conferred by rule 45 of the Defence of India Rules, 1962, the Central Government hereby—

- (a) prohibits the further sale or distribution of the said issue or any extract therefrom or of any translation thereof, and declares the said issue and every copy or translation thereof or extract therefrom, to be forfeited to Government; and
- (b) directs every person possessing any copy of the said issue to deliver the same to the local police authorities.

[No. 59/30/63-Poll(I).]

GAJINDER SINGH, Under Secy.

### CORRIGENDUM.

*New Delhi, the 2nd March 1963*

**G.S.R. 400.**—In the notification of the Government of India in the Ministry of Home Affairs No. F. 6/1/62-Judl. II UTL-53 dated the 18th October, 1962, published as G.S.R. 1421 at pages 1697 to 1702 of the Gazette of India, Part II, Section 3, Sub-section (i), dated the 3rd November 1962/12th Kartika 1884, in lines 22-23, at page 1702, for "this Act (XLV of 1860) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code" read "this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860)".

[No. F. 6/1/62-Judl. II.]

P. N. KAUL, Dy. Secy.

**MINISTRY OF FINANCE****(Department of Revenue)***New Delhi, the 9th March 1963*

**G.S.R. 401.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following rules further to amend the Central Sales Tax (Registration and Turnover) Rules, 1957, in its application to the Union territory of Goa, Daman and Diu, namely:—

1. These rules may be called the Central Sales Tax (Registration and Turnover) Amendment Rules, 1963.

2. In sub-rule (3) of rule 4 and in sub-rule (2) of rule 8 of the Central Sales Tax (Registration and Turnover) Rules, 1957, for the words "court-fee stamps", the words "local revenue stamps" shall be substituted.

[No. 8(6)-ST/62.]

**G.S.R. 402.**—In exercise of the powers conferred by sub-sections (3), (4) and (5) of section 13 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following rules further to amend the Central Sales Tax (Union Territories) Rules, 1957, in its application to the Union territory of Goa, Daman and Diu, namely:—

1. These rules may be called the Central Sales Tax (Union Territories) Amendment Rules, 1963.

2. In sub-rule (1A) of rule 10 of the Central Sales Tax (Union Territories) Rules, 1957, for the words "court-fee stamps", the words "local revenue stamps" shall be substituted.

[No. 8(6)-ST/62.]

Miss ANNA R. GEORGE, Dy. Secy.

**(Department of Revenue)***New Delhi, the 2nd March 1963*

**G.S.R. 403.**—In pursuance of Rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Department of Revenue Allotment Rules, 1958, issued with the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R. 413, dated the 24th May, 1958,

1. These Rules may be called the Department of Revenue Allotment (Amendment) Rules, 1963.

2. In the Department of Revenue Allotment Rules, 1958, in rule 8, the words "who desires to have an allotment made, or continued, under these rules" shall be omitted.

[No. F. 1/83/62-Ad.VIII.]

JAMUNA PRASAD SINGH, Jt. Secy.

**(Department of Revenue)****CUSTOMS***New Delhi, the 9th March 1963*

**G.S.R. 404.**—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts the goods specified in the Schedule below which prior to their import had been exported as cargo to increase the standard configuration on the return flight of the aircrafts

belonging to the Air India Corporation, from the payment of import duty leviable thereon subject to the following conditions, namely:—

(a) that the customs authorities are satisfied about the identity of the goods exported as cargo and re-imported for the purpose specified above;

(b) that the Corporation—

(i) produces evidence that no drawback of duty had been claimed in respect of such goods on the occasion of such export;

(ii) observes such procedure as may be laid down from time to time by the Central Government in regard to such export and re-import;

(c) that such goods are re-imported within one year of the date of exportation thereof or within such further period as may be prescribed by the Central Board of Revenue on an application made to it in this behalf;

(d) that between the time of such exportation and re-importation thereof:—

(i) the ownership of such goods had not changed;

(ii) that such goods had not undergone any repair.

**NOTE.**—Where any such goods had undergone any repair, they shall be exempt from import duty leviable thereon, as is in excess of the duty which would be leviable if the value of the goods were equal to—

(i) the cost of repairs, that is to say labour charges,

(ii) Cost of material used for the repairs,

(iii) insurance and freight charges.

#### SCHEDULE.

(i) Chairs;

(ii) Passengers' service units (fitted above the chairs), and

(iii) Bulk heads (pre-fabricated top partition in the cabin).

[No. 92/F. No. 4/18/62-Cus.VII.]

M. G. VAIDYA, Under Secy.

#### RESERVE BANK OF INDIA (Exchange Control Department)

*Bombay, the 21st February 1963*

**G.S.R. 405.**—In pursuance of sub-section (2) of section 8 of the Foreign Exchange Regulation Act, 1947. (VII of 1947), and in supersession of the notification of the Reserve Bank of India No. F.E.R.A. 105/51-RB. dated the 27th February 1951, the Reserve Bank is pleased:

(1) to permit any person to take or send out of India to Nepal currency notes of the Government of India, Reserve Bank of India notes (excluding in either case notes of the denomination of Rs. 100 or higher) and Indian coin or other notes or coin which are the currency of Nepal;

(2) to permit currency in the safes of vessels or aircrafts which has been brought into India or which has been taken on board a vessel or aircraft with the permission of the Reserve Bank to be taken out of India;

(3) to permit a deck passenger to Burma, Malaya, Singapore, a Persian Gulf Port or East Africa, or a passenger to Ceylon or Pakistan, to take with him Indian Currency in the form of Currency notes of the Government of India or Reserve Bank of India notes or Indian Coin, or foreign currency in the form of currency notes and coins obtained from an authorised dealer or partly in such Indian currency and partly in such foreign currency, not exceeding in all Rs. 20 in value at any one time;

(4) to permit any person not ordinarily resident in India to take out of India an amount—

(a) of foreign currency not exceeding the amount brought in by him in foreign currency, and

- (b) of special bank notes and special one rupee notes issued under section 28A of the Reserve Bank of India Act, 1934 not exceeding the amount brought in by him in either or both the notes;

Provided that he makes, on arrival in India, a declaration to the Customs authorities, in such form as may be specified by the Reserve Bank in this behalf, of the amount of the foreign currency or as the case may be such special notes brought in by him.

[No. F.E.R.A. 211/63-RB.]

**G.S.R. 406.**—In pursuance of the notification of the Government of India in the Ministry of Finance No. 12(12)-F1/49 dated the 10th September 1949 and in supersession of the notification of the Reserve Bank of India No. F.E.R.A. 177/59-RB. dated the 18th November, 1959, the Reserve Bank is pleased to permit any person—

- (i) to send into India—

- (a) special bank notes issued by the Reserve Bank (other than the bank notes referred to in sub-clause (b) herein) or special one rupee notes issued by the Government of India, under section 28A of the Reserve Bank of India Act, 1934, without limit, from any place in the following areas, namely, the Sheikhdoms of Bahrein, Qatar, Sharjah and Kalba, Ras al Khaimah, Um ul Awain, Ajman, Dubai, Abu Dhabi and Fujairah and the Sultanates of Muscat and Oman;
- (b) special bank notes issued by the Reserve Bank of India under section 28A of the Reserve Bank of India Act, 1934, and referred to in Regulation 4 of the Reserve Bank of India (Special Bank Notes and One Rupee Notes) Regulations 1959 as special Haj notes, without limit from Saudi Arabia.

- (ii) to bring into India—

- (a) from Nepal, currency notes of the Government of India and Reserve Bank of India notes of 'Ashoka Pillar' design (other than notes of the denomination of Rs. 100 or higher and Special Bank Notes and Special One Rupee Notes issued under section 28A of the Reserve Bank of India Act, 1934) upto an amount not exceeding Rs. 75 in all per person at any one time;
- (b) from any place outside India, other than Pakistan, Afghanistan, Burma and the Sheikhdome of Kuwait, special notes and special one rupee notes issued under section 28A of the Reserve Bank of India Act, 1934, without limit.

- (iii) to bring into India from any place outside India without limit currency notes or bank notes (other than unissued notes, currency notes of the Government of India, Reserve Bank of India notes).

Provided that the permission contained in this Notification to bring notes into India shall apply to any such person only if he makes, on arrival in India, a declaration to the Customs authorities, in such form as may be specified by the Reserve Bank in this behalf, of the particulars of all such notes brought in by him.

[No. F.E.R.A. 212/63-RB.]

M. V. RANGACHARI,  
Dy. Governor.

## MINISTRY OF COMMERCE AND INDUSTRY TEA CONTROL

*New Delhi, the 25th February 1963*

**G.S.R. 407.**—The following amendment to the Tea Board By-laws, 1955 made by the Tea Board in exercise of the powers conferred by sub-section (1) of section 50 of the Tea Act, 1953 (29 of 1953), is hereby published for general infor-



mation, the same having been confirmed by the Central Government as required by sub-section (2) of the said section, namely:—

In the said by-laws, after by-law 26, the following by-law shall be inserted, namely:—

**"26A. Grant of other advances.**—The Board may grant to its employees such other advances as are admissible to Central Government employees holding comparable posts under rules and orders issued by the Central Government from time to time."

[No. 8(1)Plant(A)/63.]

B. KRISHNAMURTHY, Under Secy.

## MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

*New Delhi, the 27th February 1963*

**G.S.R. 408.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments to the Ministry of Scientific Research and Cultural Affairs (General Central Service—Class I and Class II posts) Recruitment Rules, 1962 published with the notification of the Government of India in the Ministry of Scientific Research and Cultural Affairs No. 4/48/59-Estt; I, dated the 12th December, 1962 in the Gazette of India, Part II Section III, Sub. section (i) dated the 22nd December, 1962, as G.S.R. 1749, namely:—

1. These rules may be called the Ministry of Scientific Research and Cultural Affairs (General Central Service—Class I and Class II posts) Recruitment Amendment Rules, 1963.

2. In the Ministry of Scientific Research and Cultural Affairs (General Central Service—Class I and Class II posts) Recruitment Rules, 1962—

(1) in rule 4, for the existing proviso, the following proviso shall be substituted, namely:

"Provided, that the age limit prescribed for direct recruitment in column 6 of the said Schedule may be relaxed in the case of—

(a) Government servants;

(b) candidates belonging to the Scheduled castes or the Scheduled Tribes and other special categories of persons in accordance with the orders that may be issued from time to time by the Government of India;"

(2) in the Schedule, for the existing entry in column 1, against item 4, the following entry shall be substituted, namely:—

"Assistant Education Officer (Technical)"

[No. 4/48/59-Estt; I.]

B. N. BHARDWAJ, Under Secy.

## MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

*New Delhi, the 28th February 1963*

**G.S.R. 409.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Section Officer (Technical) (Display) in the Directorate of Economics and Statistics in the Department of Agriculture of the Ministry of Food and Agriculture, namely:—

1. **Short title.**—These rules may be called the Directorate of Economics and Statistics [Section Officer (Technical) (Display)] Recruitment Rules, 1963.

2. **Application.**—These rules shall apply for recruitment to the post of Section Officer (Technical) (Display) in the Directorate of Economics and Statistics in the Department of Agriculture of the Ministry of Food and Agriculture.

**3. Number, Classification and scale of pay.**—The number of the said post, classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to these rules.

**4. Method of Recruitment, age limit and other qualifications.**—The method of recruitment, age-limit, and other matters relating to the said post shall be specified in columns 5 to 13 of the Schedule aforesaid.

**5. Disqualifications.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said post; and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said post:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHB

*Recruitment Rules for the post of Section Officer (Technical) (Display) in the Ministry of Food*

Name of post	No. of posts	Classification	Scale of pay	Whether selection or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
			Rs.		
Section Officer (Technical) (Display).	1	G.C.S. Class II (Non-Gazetted).	325—15—475— EB—20— 575.	Selection	30 years & below (Relaxable for Govt. Servants & also in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes, displaced persons and other special categories of persons in accordance with the general orders issued from time to time by the Govt. of India).

**DULE**

*and Agriculture, Directorate of Economics and Statistics.*

Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which UPSC is to be consulted in making recruitment
7	8	9	10	11	12	13
<i>Essential :</i>				<i>Promotion :</i>		
(i) Matriculation with Art as one of the subjects, or certificate of Drawing Teacher's Examination of recognised Institute.	No.	2 Yrs.	By promotion failing which by direct recruitment.	Supervisor (Graphs) (with about 3 Yrs. service in the grade).	Class II DPC.	As required under the rules.
(ii) About 2 years' experience of drawing of charts and diagrams in a responsible capacity in a Govt. Office or a non-official Institute of repute.						
Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.						
<i>Desirable :</i>						
Diploma in Art of Recognised University/Institution.						

[No. F.9-96/62-C(E)]  
N. RANGANATHAN,  
Under Secy.

**MINISTRY OF MINES & FUEL***New Delhi, the 27th February 1963*

**G.S.R. 410.**—In exercise of the powers conferred by section 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Conservation and Development Rules, 1958, namely:—

1. These rules may be called the Mineral Conservation and Development (First Amendment) Rules, 1963.
2. In the Mineral Conservation and Development Rules, 1958, in sub-rule (1) of rule 14, after clause (b) the following clause shall be inserted, namely:—

"(c) a quarterly return in form O in respect of explosives."

**FORM O**

[See rule 14(i)(c)]

Quarterly return indicating

(a) consumption of explosive  
for the quarter ending

31st March 19 .

30th June

30th September

31st December

(b) requirements of explosive  
for the next quarter ending

31st March 19 .

30th June

30th September

31st December

**IMPORTANT**

Please return this form duly filled  
in to :

The Director, Indian Bureau of  
Mines, Nagpur, with a copy to  
Regional Controller of Mines,  
Calcutta/Nagpur/Ajmer/Banga-  
lore before the 8th of the month  
following the quarter to which  
the return belongs.

Name of Mine:—

Name and address  
of the owner:

Mineral Worked:—

Classification of explosives*	Unit	Stock at the beg- inning of the quarter	Quantity received during the quarter**	Quantity consumed during the quarter	Stock at the end of the quarter	Estima- ted re- quire- ment during the next quarter***	Remarks
1	2	3	4	5	6	7	8
1. Gunpowder .	Kg.						
2. Nitrate mix- tures .	"						
3. Nitro com- pound .	"						
(a) Permitted							
(b) Ordinary							

Classification of explosives	Unit	Stock at the beg- inning of the quarter	Quantity received during the quarter	Quantity consumed during the quarter	Stock at the end of the quarter	Estima- ted re- quire- ment during the next quarter	Remarks
1	2	3	4	5	6	7	8
4. Chlorate mix- ture	Kg.						
5. Liquid Oxy- gen							
(a) Liquid Oxy- gen							
(b) Cartridges							
6. Detonators :	Nos.						
1. Ordinary							
2. Electric							
(a) Low ten- sion							
(i) Ordinary							
(ii) Delay							
(b) High ten- sion							
7. Fuses	Metre						
(a) Safety fuse							
(b) Cordtex fuse	Metre						
8. Plastic Ignitor Cord	Metre						

\*1. Classification of explosives is in accordance with Rule 4 (Schedule I) of Indian Explosive Rules 1940.

\*\*2. This should include quantities for which R.R. has been received.

\*\*\*3. In case the figure in column 7 exceeds that in column 5 detailed justification to be given in forwarding letter or as a foot-note. Signature and address of the Owner/Agent/Manager.

[No. MII-185(5)/62.]

H. S. SAHNI, Under Secy.

## MINISTRY OF RAILWAYS

(Railway Board)

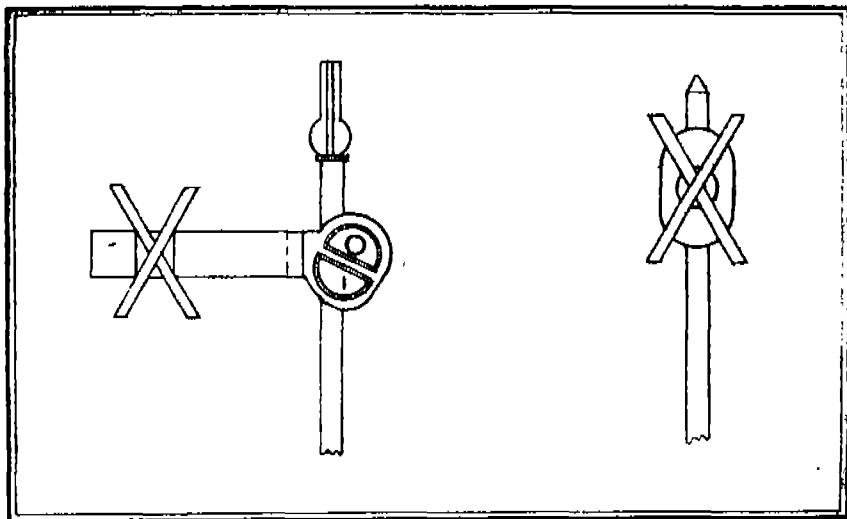
New Delhi, the 22nd February 1963

**G.S.R. 411.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 47 of the Indian Railways Act, 1890 (9 of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March, 1905, the Railway Board with the sanction of the Central Government hereby makes the following rules further to amend the

general rules for all open lines of Railways in India administered by the Government, published with the notification of the Government of India, in the late Railway Department (Railway Board) No. 1078-T, dated the 9th March, 1929, namely:—

In Part I of the said rules, for rule 20, the following rule shall be substituted, namely:—

"20. **Signals out of use.**—(a) When a fixed signal is not in use, it shall be distinguished by two crossed bars, each bar being not less than 3' 6" long and 4" wide (1 metre long and 10 centimetres wide) as illustrated below. A Semaphore signal when not in use shall remain fixed in the 'on' position."



(b) Signals not in use must not be lighted.

[No. 62-TT/V/29/32.]

*New Delhi, the 27th February 1963*

**G.S.R. 412.**—In exercise of the powers conferred by section 47 of the Indian Railways Act, 1890 (9 of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March, 1905, the Railway Board, with the sanction of the Central Government, hereby makes the following rules further to amend the Railway Red Tariff Rules, 1960, namely:—

1. (1) These rules may be called the Railway Red Tariff (Third Amendment) Rules, 1963.

(2) They shall come into force on the first day of April, 1963.

2. In the Railway Red Tariff Rules, 1960, (hereinafter referred to as the said rules) in Chapter III, in sub-rule (2) of rule 317, for paragraph 2, the following shall be substituted, namely:—

"The prescribed air space may be reduced to 2½% in the case of—

High speed diesel oil,  
Light diesel oil,  
Batching oil,  
Furnace oil,  
Kerosene oil,

and to 4% in the case of—

Aviation spirit,  
Petrol,  
Solvent oil,  
Power alcohol,  
Rectified spirit,  
Vapourising oil."

3. In the said rules, in Table VII at the end of Chapter VII, in the entry relating to "Insecticides (other than fluid) containing organo-mercurial salts," for the entries in column 2, the following entries shall be substituted; namely:—

"65-B. 57.5-B, 150, 110, 65."

[No. 62-TGII/21/11.]

P. C. MATHEW, Secy.

## MINISTRY OF WORKS, HOUSING AND REHABILITATION

(Department of W&H)

(Central Boilers Board)

*New Delhi, the 25th February 1963*

**G.S.R. 413.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950, in Regulation 623, the words, figures and abbreviations "where the gauge pressure exceeds 1 kg/cm<sup>2</sup>" shall be added at the end.

[No. BL-5(7)/62-S&P-II.]

**G.S.R. 414.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

## 2. In the Indian Boiler Regulations, 1950,—

(i) for Regulation 367, the following shall be substituted, namely:—

“367. Steel Screwed and Socketed Joints and Mountings of Steel:

Steel couplings or sockets may be used on pipes within the limits below:

Nominal bore	Maximum permissible pressure		Maximum permissible temperature	
	lbs <sup>1</sup> sq. in.	kg/cm <sup>2</sup>	°C	°F
Upto and including 25 mm (1 in.) . . . . .	175	12.25	260	500
Over 25 mm (1") upto and including 38 mm (1 1/2") . . . . .	150	10.5	260	500
Over 38 mm (1 1/2") upto and including 76 mm (3") . . . . .	125	8.75	260	500
Over 76 mm (3") upto and including 102 mm (4") . . . . .	100	7	260	500
	120	8.5	177	350
Over 102 mm (4") upto and including 127 mm (5") . . . . .	100	7	171	340

Where tapered threads are employed and the diameter of the pipe does not exceed 38 mm (1 1/2"), the use of such sockets and mountings may be permitted upto the limits of 31.6 kg/cm<sup>2</sup> (450 lbs/sq. in.)”

(ii) for Regulation 368, the following shall be substituted, namely:—

“368.—Bronze Screwed and socketed joints and mountings and fittings of bronze:—

Mountings and fittings of bronze upto 76 mm (3") diameter may be attached directly to steel pipes by screwing when the pressures and temperatures do not exceed 8.5 kg/cm<sup>2</sup> (120 lbs/sq. in.) and 225° (435° F) respectively; where tapered threads are employed, such joints may be used for pressures not exceeding 17.6 kg/cm<sup>2</sup> (250 lbs/sq. in.). Bronze fittings above 76 mm (3") diameter shall be of flanged construction”.

[No. BL-9(2)/62-S&amp;P. II.]

**G.S.R. 415.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercises of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (i) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

1. These regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950, in Regulation 525, in sub-clause (vi) of clause (b), for the words and figures “In no case, however, shall the thickness of a connector bend be less than 13 thirty seconds of an inch”, the following shall be substituted, namely:—

“In no case, however, shall the thickness of a connector bend be less than 10.3 mm. (13 thirty-seconds of an inch) for 18.75 kg/cm<sup>2</sup> (12.0 tons/sq. in.) and 22.00 kg/cm<sup>2</sup> (14.0 tons/sq. in.) grade irons and 9.0 mm



(11 thirty seconds of an inch) for 26.00 kg/cm<sup>2</sup> (16.5 tons/sq. in.) grade iron."

[No. S&PII/BL-9(5)/60.]

**G.S.R. 416.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

• Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950:—

In Regulation 107, for clauses (a), (b), (c) and (d), the following shall be substituted, namely:—

"The requirements of welded shells shall be covered by the provisions made in the Regulations in Chapter V or Chapter XII, as the case may be."

[No. S&PII/BL-9(10)/61.]

**G.S.R. 417.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950, in Form No. XIII, for the brackets and words "(COMPETENT AUTHORITY)", the following brackets and words shall be substituted, namely:—

"(Representative of Competent Authority)".

[No. BL-9/53/62-S&PII.]

*New Delhi, the 28th February 1963*

**G.S.R. 418.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the

Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.
2. In the Indian Boiler Regulations, 1950, in the list of "Well-known Steel-Makers" in Appendix 'G', the following shall be added at the end, namely:—

"FABBRICA ITALIANA TUBI,  
Via Lanzone, 4-MILANO,  
ITALY."

[No. S&PII/BL-8/4/61.]

**G.S.R. 419.**—The following draft of certain regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950, for clause (e) of Regulation 152 the following shall be substituted, namely:—

"(e) Where tubes are strength welded direct to the tube plates, the technique followed shall be approved by the Inspecting Authority and all welds shall be suitably heat treated. In the case of plates below 22mm thickness, the requirement of stress relieving by heat treatment after welding of the tubes may be waived provided the weld satisfies the requirements of the maximum hardness and also the requirements concerning the impact values of the weld metal. The welding procedure adopted and the weld sequence selected shall also be subject to the approval of the Inspecting Authority. This provision is applicable to only shop welding of tubes at the manufacturers' works."

[No. BL-9(10)/62-S&P-II.]

*New Delhi, the 2nd March 1963*

**G.S.R. 420.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 30th May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

## 2. In the Indian Boiler Regulations, 1950,—

(1) for Regulation 9, the following Regulation shall be substituted, namely:—

**"Process of manufacture.**—Structural steel for boilers shall be made by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F).";

(2) In Regulation 10, for clause (a), the following clause shall be substituted, namely:—

"(a) The steel shall contain not more than 0.050 per cent of sulphur or of phosphorus and Oxygen Process Steel shall in addition contain not more than 0.008 per cent of nitrogen.";

(3) In Regulation 26, for the words "Open Hearth or Electric Process", the following words shall be substituted, namely,

"Open Hearth or Electric Process or any of the Oxygen Processes";

(4) In Regulation 36, for clause (a), the following clause shall be substituted, namely:—

"(a) **Material.**—The tubes shall be seamless and made of steel produced by an Open Hearth or Electric Process or any of the Oxygen Processes and shall be certified as such by the makers of the steel and tubes. The steel shall not be used for working metal temperatures exceeding 343°C (650°F). The materials of the tubes shall show on analysis not more than 0.050 per cent of sulphur and 0.050 per cent of phosphorus. The Oxygen Process Steel shall contain not more than 0.008 per cent of nitrogen. The manufacturer shall supply a certificate of the analysis when required to do so."

(5) In Regulation 43, in clause (a) for the words "Material.—The tubes shall be seamless and made of steel produced by an Open Hearth or Electric Process, acid or basic, and shall be certified as such by the maker. The chemical composition of the material of the tubes shall conform to the following analysis," the following shall be substituted, namely:—

"**Material.**—The tubes shall be seamless and made of steel produced by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F). The chemical composition of the material of the tubes shall conform to the following analysis and that the steel produced by the Oxygen Process shall in addition contain not more than 0.008 per cent of nitrogen."

(6) In Regulation 58, for clause (a), the following shall be substituted, namely:—

"(a) (i) **Material Process.**—The material shall be made by an Open Hearth or Electric Process or by any of the Oxygen Processes. The steel produced by the Oxygen Process shall not be used for working metal temperature exceeding 343°C (650°F).

(ii) **Chemical Composition.**—The sulphur and phosphorus content shall not exceed 0.050 per cent and the steel produced by Oxygen Process shall in addition not contain any more than 0.008 per cent of nitrogen."

(7) in Regulation 74,

(i) for clause (a), the following shall be substituted, namely:—

"(a) **Process of manufacture.**—Steel for castings shall be made by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F)".

(ii) in clause (b) for the words,

"The steel shall contain", the following shall be substituted, namely:—

"The steel shall comply with the following chemical composition, and that the Oxygen Process Steel shall in addition contain not more than 0.008 per cent of nitrogen."

(8) in Regulation 81,

(i) for clause (a), the following shall be substituted, namely:—

“(a) **Process of manufacture.**—Steel forgings shall be made by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F).”

(ii) for clause (b), the following shall be substituted, namely:—

“(b) **Chemical analysis.**—The steel shall contain not more than 0.050 per cent of sulphur or of phosphorus and Oxygen Process steel shall in addition contain not more than 0.008 per cent of nitrogen.”

(9) for Regulation 235, the following Regulation shall be substituted, namely:—

“235. **Process of manufacture.**—Carbon steel for seamless steel drums shall be made by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F).”

(10) for Regulation 236, the following Regulations shall be substituted, namely:—

“236. **Chemical Analysis.**—The steel shall contain not more than 0.050 per cent of sulphur or of phosphorus and Oxygen Process steel shall in addition contain not more than 0.008 per cent of nitrogen.”

(11) in Regulation 344, for clause (a), the following shall be substituted, namely:—

“344. **Steel Pipes.**—(a) The pipes shall be made from steel made by an Open Hearth or Electric Process or by any of the Oxygen Processes. Oxygen Process steel shall not be used for working metal temperatures exceeding 343°C (650°F). Hot finished seamless pipes may however be made of Bessemer steel. Bessemer steel shall not be used for pressures exceeding 21 kg/cm<sup>2</sup> (300 lbs/sq. in.) or temperatures exceeding 260°C (500°F). If the Bessemer Process is used, the steel shall be made by a manufacturer approved by the Inspecting Authority.

When used for steam temperatures exceeding 399°C (750°F), the steel shall be of non-segregated or fully killed type.”

(12) in Form IV “for the portion beginning with “We hereby certify” and ending with “standard tests.”, the following shall be substituted, namely:—

“We hereby certify that the material prescribed below has been made by ..... by the ..... Process.”

[No. S&P.II/BL-2(1)/61.]

**G.S.R. 421.**—The following draft of certain regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st March, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950,

(i) In Regulation 122, for clause (1), the following shall be substituted, namely:—

“As an alternative to Adamson flanges, furnaces which are partly fitted with corrugated sections shall be strengthened by means of suitable

stiffening rings adequately welded to the furnaces. The moment of inertia of the stiffener shall be not less than that required by Regulation 592(b). In no case shall a flat stiffener be less than  $2\frac{1}{4}'' \times \frac{1}{4}''$ .

(ii) In Regulation 592 of clause (b), for the connotation 'E', the following shall be substituted, namely:—

"E is the modulus of elasticity in pounds per square inch which may be taken as  $27.8 \times 10^6$ ".

[No. BL-9/37/62-S&PIL]

**G.S.R. 422.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950,—

(1) In Regulation 282, in Sub-clause (iv) of clause (a), for the portion beginning with "Chemical Composition" and ending with "0.3 per cent maximum", the following shall be substituted, namely:—

#### **"Chemical Composition"**

Tin	5.5 to 8.0 per cent.
Lead	1.0 to 3.0 per cent.
Zinc	3.0 to 6.0 per cent.

Total of all elements other than those set out above and excluding Copper and incidental Nickel Copper plus incidental Nickel.	} 0.5 per cent. remainder."

(2) In the Table below clause (c) of Regulation 290,—

in the entry relating to Bronze castings—

(i) for the figures "16", the figures "14" shall be substituted, and

(ii) in the column under "C", for the figure "175", figure "154" shall be substituted.

[No. S&PIL/BL-9/64/61.]

K. B. SAXENA, Secy.

(Department of Rehabilitation)  
(Office of the Chief Settlement Commissioner)

New Delhi, the 25th February 1963

**G.S.R. 423/R. Amdt.LXVIII.**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following rules to amend the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

1. These rules may be called the Displaced Persons (Compensation and Rehabilitation) Amendment Rules, 1963.

2. In the Displaced Persons (Compensation and Rehabilitation) Rules, 1953, in the second proviso to rule 63, after the words, brackets and figures, "Displaced Persons (Claims) Act, 1950 (44 of 1950)", the following words and figures shall be inserted namely:—

"or under Rule 65"

(Amtdt. No. LXVIII dated 25th February, 1963).

[No. F. 2(7)/L&R/61(Comp & Prop.)]

M. J. SRIVASTAVA,

Settlement Commissioner & *Ex-Officio*  
Under Secy.

## MINISTRY OF LABOUR AND EMPLOYMENT

*New Delhi, the 28th February 1963*

**G.S.R. 424.**—Whereas the Central Government is of opinion that a provident fund scheme should be framed under the Employees' Provident Funds Act, 1952 (19 of 1952), in respect of the employees of the confectionery industry;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Employees' Provident Funds Act, 1952, the Central Government hereby adds, with effect from the 31st March, 1963, the said industry to Schedule-I to the said Act.

[No. 4(1)61-PF.II.]

P. D. GAIHA, Under Secy.

## MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

*New Delhi, the 23rd February 1963*

**G.S.R. 425.**—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following further amendment in the Vizagapatam Port Rules and Scales of Rates levied on vessels entering the Port of Vizagapatam, namely:—

In the Vizagapatam Port Rules and Scales of Rates, under rule 6, the following item shall be inserted as item (x), namely:—

- "(x) 6,000 lbs. capacity Fork Lift Trucks: Rs. 16/- for the first hour or part thereof and Rs. 8/- for every additional hour or part thereof. 33 1/3% surcharge shall be levied for work done between the hours of 6 P.M. and 6 A.M. on the following day and for work done during Sundays and declared holidays".

[No. F. 17-PG(1)/63.]

HARBANS SINGH, Under Secy.

## (Departments of Communications & Civil Aviation)

*New Delhi, the 2nd March 1963*

**G.S.R. 426.**—The Indian Carriage by Air Act, 1934 (20 of 1934), gave effect in India to the Convention signed at Warsaw on 12th October, 1929, which governs the liability of the carrier for damage sustained in the event of death of or injury to a passenger, loss of or damage to goods and other connected matters.

2. The Warsaw Convention, as also the Indian Carriage by Air Act, 1934, are applicable to international carriage only. However, section 4 of the Indian

Carriage by Air Act, 1934, empowers the Central Government to apply the provisions of the Warsaw Convention to carriage by air which is not international.

3. Government of India have decided in principle that, in accordance with section 4 of the Indian Carriage by Air Act, 1934, the provisions of the Warsaw Convention should be made applicable to carriage by air which is not international subject to certain exceptions, adaptations and modifications. Accordingly, a draft notification indicating such exceptions, adaptations and modifications along with an Annexure setting out the text of the Provisions of the Act so excepted, adapted and modified has been prepared and is published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st May, 1963. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified, will be considered by the Central Government.

#### *Draft Notification*

In exercise of the powers conferred by section 4 of the Indian Carriage by Air Act, 1934 (20 of 1934), the Central Government hereby directs that with effect from ..... section 2 of that Act and the rules contained in the First and Second Schedules to that Act shall apply to all carriage by air not being international carriage by air as defined in the said First Schedule, irrespective of the nationality of the aircraft performing the carriage, subject to the following exceptions, adaptations and modifications, namely:—

1. In section 2 of the said Act,—

- (i) sub-sections (1), (2), (3) and (5) shall be omitted;
- (ii) in sub-section (3A), for the words 'First Schedule', the words 'First Schedule, as applicable to carriage by air not being international carriage by air,' shall be substituted;
- (iii) in sub-section (4)—
  - (i) for the words 'First Schedule', the words 'First Schedule, as applicable to carriage by air not being international carriage by air' shall be substituted;
  - (ii) for the words 'Second Schedule', the words 'Second Schedule, as applicable to carriage by air, not being international carriage by air' shall be substituted.

2. In the First Schedule to the said Act,—

- (a) for the brackets and words '(See section 2)' occurring below the heading 'First Schedule', the brackets and words '(As applicable to carriage by air not being international carriage)' shall be substituted.
- (b) the word 'Definitions' forming part of the heading of chapter 1 shall be omitted;
- (c) in rule 1,—
  - (i) in sub-rule (1), the word 'international' shall be omitted;
  - (ii) sub-rules (2) and (3) shall be omitted;
  - (iii) in sub-rule (4), the words 'and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within a territory subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party' shall be omitted;
- (d) for rule 2, the following rule shall be substituted, namely:—

"2. These rules do not apply—

- (i) to carriage by air in any aircraft belonging to, or exclusively employed in, the Naval, Military or Air Forces of the Union;
- (ii) to carriage by air, performed by the Government, whether Central or State;
- (iii) to carriage of mails;
- (iv) to carriage of persons performed for the purpose of training of such persons;

- (v) to the aircraft of the Flying Clubs and the Civil Aviation Training Centre of the Government of India even when they are engaged in carrying persons for purposes other than training;
- (vi) to carriage of goods or persons performed for the purpose of dropping goods from an aircraft;
- (vii) to carriage of employees of the carrier when they are carried for the purpose of performing any duties assigned to them by the carrier on the aircraft or elsewhere."
- (e) Parts I and II containing rules 3 and 4 shall be omitted;
- (f) in rule 5,—
  - (i) for sub-rule (1), the following sub-rule shall be substituted, namely:—
 

"(1) Every carrier of goods has the right to require the consignor to make out and hand over to him an air consignment note."
  - (ii) in sub-rule (2), the words 'subject to the provisions of rule 9' shall be omitted.
- (g) rules 6, 8 and 9 shall be omitted;
- (h) in rule 10, in sub-rule (1), after the words 'air consignment note', the words 'if any' shall be inserted;
- (i) in rule 11,—
  - (i) in sub-rule (1), after the words 'air consignment note', the words 'if any' shall be inserted;
  - (ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—
 

"(2) Any statements in an air consignment note relating to the weight, dimensions and packing of the goods or relating to the number of packages, are *prima facie* evidence of the facts stated; any such statements relating to the quantity, volume and condition of the goods do not constitute evidence against a carrier except so far as they both have been, and are stated in the air consignment note to have been, checked by him in the presence of the consignor, or relate to the apparent condition of the goods".
- (j) in rule 12,—
  - (i) in sub-rule (1), before the word, 'consignee', the word 'original' shall be inserted and the words 'named in the air consignment note' shall be omitted;
  - (ii) sub-rule (3) shall be omitted;
  - (iii) in sub-rule (4), for the words 'consignment note', the words 'air consignment note, if any,' shall be substituted.
- (k) in rule 13, in sub-rule (1), the words 'to hand over to him the air consignment note and', shall be omitted and before the word 'carriage', the words 'the contract of' shall be inserted, and the words 'set out in the air consignment note' shall be omitted;
- (l) in rule 15, in sub-rule (2), after the words, 'air consignment note', the words 'or a special contract in writing between the parties' shall be inserted;
- (m) in rule 16, in sub-rule (1), the words 'attach to the air consignment note such' shall be omitted;
- (n) in rule 18, in sub-rule (1), the word 'registered' shall be omitted;
- (o) for rule 19, the following rule shall be substituted, namely:—
 

"19. In the absence of a contract to the contrary, the carrier is not liable for damage occasioned by delay in the carriage by air of passengers, luggage or goods".
- (p) rule 20 shall be omitted;
- (q) in rule 22,—



(i) for sub-rule (1), the following sub-rules shall be substituted, namely:—

"(1) Subject to the provisions of rule 17, in the event of death of a passenger, or any bodily injury or wound suffered by a passenger which results in a permanent disablement incapacitating him from engaging in or being occupied with his usual business or occupation, the liability of the carrier for each passenger shall be Rs. 42,000, if the passenger be 12 or more years of age, and Rs. 21,000, if the passenger be below 12 years of age, on the date of the accident.

(1A) Subject to the provisions of rule 17, in the event of wounding of a passenger or any other bodily injury suffered by a passenger which results in a temporary disablement entirely preventing an injured passenger from attending to his usual business or occupation or duties, the liability of the carrier for each passenger shall be limited to a sum calculated at the rate of Rs. 40 per day for every day during which he continues to be so disabled or a sum of eight thousand rupees, whichever is less.

(ii) in sub-rule (2), for the words "250 francs", the words "Rs. 80 (Rupees eighty)" shall be substituted;

(iii) in sub-rule (3), for the words "5,000 francs", the words "Rs. 250 (Rupees two hundred and fifty)" shall be substituted.

(iv) sub-rule (4) shall be omitted.

(r) in rule 23, for the words "Any provision", the words "Any provision in a contract of carriage" shall be substituted;

(s) in rule 25,—

(i) in sub-rule (1), the words "or by such default on his part as is in the opinion of the Court equivalent to wilful misconduct" shall be omitted;

(ii) in sub-rule (2), for the words "his employment", the words "his employment, unless the carrier proves that the wilful misconduct of his agent took place without his actual fault or privity" shall be substituted;

(t) in rule 26,—

(i) in sub-rule (1), for the word "document", the word "contract" shall be substituted;

(ii) in sub-rule (3), the words "in writing upon the document of carriage or", and the word "separate" shall be omitted;

(u) rule 28 shall be omitted;

(v) in rule 31, in sub-rule (2), for the words "inserting in the document of air carriage", the words "agreeing to special" shall be substituted;

(w) for rule 32, the following rule shall be substituted, namely:—

"32. Any clause contained in the contract and any special agreement entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Schedule shall be null and void. Nevertheless, for the carriage of goods, arbitration clauses are allowed subject to these rules."

(x) in rule 33, for the word 'regulations', the word 'stipulations' shall be substituted;

(y) rules 34 and 36 shall be omitted.

3. In the Second Schedule to the said Act,—

(a) for the brackets and words '(See Section 2)' occurring below the heading 'Second Schedule', the brackets and words '(As applicable to carriage by air not being international carriage)' shall be substituted;

(b) for rule 2, the following rule shall be substituted, namely:—

"2. An action to enforce the liability may be brought by the personal

representative of the passenger or by any person for whose benefit the liability is under the last preceding rule enforceable, but only one action shall be brought in respect of the death of any one passenger, and every such action by whomsoever brought shall be for the benefit of all such persons so entitled as aforesaid."

(c) in rule 4,

for the words 'this Act' the words 'the Indian Carriage by Air Act, 1934, (20 of 1934) as applicable to carriage by air, not being international carriage', shall be substituted; and the words 'and of any proceedings which have been, or are likely to be, commenced outside India in respect of the death of the passenger in question' shall be omitted.

## ANNEXURE

### (Section 2 and the Schedules)

#### Section 2.

2. (1) omitted.

(2) omitted.

(3) omitted.

(3A) Any reference in the First Schedule, as applicable to carriage by air not being international carriage by air, to agents of the carrier shall be construed as including a reference to servants of the carrier.

(4) Notwithstanding anything contained in the Indian Fatal Accidents Act, 1855 (13 of 1855) or any other enactment or rule of law in force in any part of India, the rules contained in the First Schedule, as applicable to carriage by air not being international carriage by air shall, in all cases to which those rules apply, determine the liability of a carrier in respect of the death of a passenger and the rules contained in the Second Schedule, as applicable to carriage by air not being international carriage by air, shall determine the persons by whom and for whose benefit and the manner in which such liability may be enforced.

(5) omitted.

## FIRST SCHEDULE

(As applicable to carriage by air not being international carriage)

### Rules

#### CHAPTER I

##### Scope.

1. (1) These rules apply to all carriage of persons, luggage or goods performed by aircraft for reward. They apply also to such carriage when performed gratuitously by an air transport undertaking.

(2) and (3) omitted.

(4) A carriage to be performed by several successive air carriers is deemed, for the purposes of these rules, to be one undivided carriage, if it has been regarded by the parties as a single operation, whether it has been agreed upon under the form of a single contract or of a series of contracts.

2. These rules do not apply—

(i) to carriage by air in any aircraft belonging to, or exclusively employed in, the Naval, Military or Air Forces of the Union;

(ii) to carriage by air, performed by the Government, whether Central or State;

(iii) to carriage of mails;

- (iv) to carriage of persons performed for the purpose of training of such persons;
- (v) to the aircraft of the Flying Clubs and the Civil Aviation Training Centre of the Government of India even when they are engaged in carrying persons for purposes other than training;
- (vi) to carriage of goods or persons performed for the purpose of dropping goods from an aircraft;
- (vii) to carriage of employees of the carrier when they are carried for the purpose of performing any duties assigned to them by the carrier on the aircraft or elsewhere.

## CHAPTER II

### *Documents of Carriage*

Parts I and II containing rules 3 and 4 shall be omitted.

Part III.—Air consignment note.

5. (1) Every carrier of goods has the right to require the consignor to make out and hand over to him an air consignment note.

(2) The absence, irregularity or loss of this document does not affect the existence or the validity of the contract of carriage which shall be none the less governed by these rules.

6. Omitted.

7. The carrier of goods has the right to require the consignor to make out separate consignment notes when there is more than one package.

8 and 9. Omitted.

10. (1) The consignor is responsible for the correctness of the particulars and statement relating to the goods which he inserts in the air consignment note, if any.

(2) The consignor will be liable for all damage suffered by the carrier or any other person by reason of the irregularity, incorrectness, or incompleteness of the said particulars and statements.

11. (1) The air consignment note, if any, is *prima facie* evidence of the conclusion of the contract, of the receipt of the goods and of the conditions of carriage.

(2) Any statements in an air consignment note relating to the weight, dimensions and packing of the goods or those relating to the number of packages, are *prima facie* evidence of the facts stated; any such statements relating to the quantity, volume and condition of the goods do not constitute evidence against a carrier except so far as they both have been, and are stated in the air consignment note to have been, checked by him in the presence of the consignor, or relate to the apparent condition of the goods.

12. (1) Subject to his liability to carry out all his obligation under the contract of carriage, the consignor has the right to dispose of the goods by withdrawing them at the aerodromes of departure or destination, or by stopping them in the course of the journey on any landing, or by calling for them to be delivered at the place of destination or in the course of the journey to a person other than the original consignee or by requiring them to be returned to the aerodrome of departure. He must not exercise this right of disposition in such a way as to prejudice the carrier or other consignors and he must repay any expenses occasioned by the exercise of this right.

(2) If it is impossible to carry out the orders of the consignor, the carrier must so inform him forthwith.

(3) Omitted.

(4) The right conferred on the consignor ceases at the moment when that of the consignee begins in accordance with rule 13. Nevertheless, if the consignee

declines to accept the air consignment note, if any, or the goods, or if he cannot be communicated with, the consignor resumes his rights of disposition.

13. (1) Except in the circumstances set out in rule 12, the consignee is entitled, on arrival of the goods at the place of destination, to require the carrier to deliver the goods to him, on payment of the charges due and on complying with the conditions of the contract of carriage.

(2) Unless it is otherwise agreed, it is the duty of the carrier to give notice to the consignee as soon as the goods arrive.

(3) If the carrier admits the loss of the goods, or if the goods have not arrived at the expiration of seven days after the date on which they ought to have arrived, the consignee is entitled to put into force against the carrier the rights which flow from the contract of carriage.

14. The consignor and the consignee can respectively enforce all the rights given them by rules 12 and 13 each in his own name, whether he is acting in his own interest or in the interest of another, provided that he carries out the obligations imposed by the contract.

15. (1) Rules 12, 13 and 14 do not affect either the relations of the consignor or the consignee with each other or the mutual relations of third parties whose rights are derived either from the consignor or from the consignee.

(2) The provisions of rules 12, 13 and 14 can only be varied by express provision in the air consignment note or a special contract in writing between the parties.

16. (1) The consignor must furnish such information and documents as are necessary to meet the formalities of customs, octroi or police before the goods can be delivered to the consignee. The consignor is liable to the carrier for any damage occasioned by the absence, insufficiency or irregularity of any such information or documents, unless the damage is due to the fault of the carrier or his agents.

(2) The carrier is under no obligation to enquire into the correctness or sufficiency of such information or documents.

### CHAPTER III

#### *Liability of the carrier*

17. The carrier is liable for damage sustained in the event of the death or wounding of a passenger or any other bodily injury suffered by a passenger, if the accident which caused the damage so sustained took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

18. (1) The carrier is liable for damage sustained in the event of the destruction or loss of, or of damage to, any luggage or any goods, if the occurrence which caused the damage so sustained took place during the carriage by air.

(2) The carriage by air within the meaning of the preceding paragraph comprises the period during which the luggage or goods are in charge of the carrier, whether in an aerodrome or on board an aircraft, or, in the case of a landing outside an aerodrome, in any place whatsoever.

(3) The period of the carriage by air does not extend to any carriage by land, by sea or by river performed outside an aerodrome. If, however, such a carriage takes place in the performance of a contract for carriage by air, for the purpose of loading, delivery or transhipment, any damage is presumed, subject to proof to the contrary, to have been the result of an event which took place during the carriage by air.

19. In the absence of a contract to the contrary, the carrier shall not be liable for damage occasioned by delay in the carriage by air of passengers, luggage or goods.

20. Omitted.

21. If the carrier proves that the damage was caused by or contributed to by the negligence of the injured person the Court may exonerate the carrier wholly or partly from his liability.

22. (I) Subject to the provisions of rule 17, in the event of death of a passenger, or any bodily injury or wound suffered by a passenger which results in a permanent disablement incapacitating him from engaging in or being occupied with his usual business or occupation, the liability of the carrier for each passenger shall be Rs. 42,000 if the passenger be 12 or more years of age, and Rs. 21,000, if the passenger be below 12 years of age, on the date of the accident.

(1A) Subject to the provisions of rule 17, in the event of wounding of a passenger or any other bodily injury suffered by a passenger which results in a temporary disablement entirely preventing an injured passenger from attending to his usual business or occupation or duties, the liability of the carrier for each passenger shall be limited to a sum calculated at the rate of Rs. 40 per day for every day during which he continues to be so disabled or a sum of eight thousand rupees, whichever is less.

(2) In the carriage of registered luggage and of goods, the liability of the carrier is limited to a sum of Rs. 80 (Rupees eighty) per kilogram, unless the consignor has made, at the time when the package was handed over to the carrier, a special declaration of the value at delivery and has paid a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that that sum is greater than the actual value to the consignor at delivery.

(3) As regards objects of which the passenger takes charge himself, the liability of the carrier is limited to Rs. 250 (Rupees two hundred and fifty) per passenger.

(4) Omitted.

23. Any provision in a contract of carriage tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in these rules shall be null and void, but the nullity of any such provision does not involve the nullity of the whole contract which shall remain subject to the provisions of this Schedule.

24. (1) In the cases covered by rules 18 and 19, any action for damages, however founded, can only be brought subject to the conditions and limits set out in this Schedule.

(2) In the cases covered by rule 17, the provisions of sub-rule (1) also apply, without prejudice to the questions as to who are the persons who have the right to bring suit and what are their respective rights.

25. (1) The carrier shall not be entitled to avail himself of the provisions of this Schedule which exclude or limit his liability, if the damage is caused by his wilful misconduct.

(2) Similarly the carrier shall not be entitled to avail himself of the said provisions if the damage is caused as aforesaid by any agent of the carrier acting within the scope of his employment, unless the carrier proves that the wilful misconduct of his agent took place without his actual fault or privity.

26. (1) Receipt by the person entitled to delivery of luggage or goods without complaint is *prima facie* evidence that the same have been delivered in good condition and in accordance with the contract of carriage.

(2) In the case of damage, the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and, at the latest, within three days from the date of receipt in the case of luggage and seven days from the date of receipt in the case of goods. In the case of delay the complaint must be made at the latest within fourteen days from the date on which the luggage or goods have been placed at his disposal.

(3) Every complaint must be made by notice in writing despatched within the times aforesaid.

(4) Failing complaint within the times aforesaid, no action shall lie against the carrier, save in the case of fraud on his part.

27. In the case of the death of the person liable, an action for damage lies in accordance with these rules against those legally representing his estate.

28. Omitted.

29. The right of damages shall be extinguished if an action is not brought within two years, reckoned from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped.

30. (1) In the case of carriage to be performed by various successive carriers and falling within the definition set out in sub-rule (4) of rule 1, each carrier who accepts passengers, luggage or goods is subjected to the rules set out in this Schedule, and is deemed to be one of the contracting parties to the contract of carriage in so far as the contract deals with that part of the carriage which is performed under his supervision.

(2) In the case of carriage of this nature, the passenger or his representative can take action only against the carrier who performed the carriage during which the accident or the delay occurred, save in the case where, by express agreement, the first carrier has assumed liability for the whole journey.

(3) As regards luggage or goods, the passenger or consignor will have a right of action against the first carrier, and the passenger or consignee who is entitled to delivery will have a right of action against the last carrier, and further, each may take action against the carrier who performed the carriage during which the destruction, loss, damage or delay took place. These carriers will be jointly and severally liable to the passenger or to the consignor or consignee.

#### CHAPTER IV

##### *Provisions relating to combined carriage*

31. (1) In the case of combined carriage performed partly by air and partly by any other mode of carriage, the provisions of this Schedule apply only to the carriage by air, provided that the carriage by air falls within the terms of rule 1.

(2) Nothing in this Schedule shall prevent the parties in the case of combined carriage from agreeing to special conditions relating to other modes of carriage, provided that the provisions of this Schedule are observed as regards the carriage by air.

#### CHAPTER V

##### *General and final provisions*

32. Any clause contained in the contract and any special agreement entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Schedule, shall be null and void. Nevertheless, for the carriage of goods, arbitration clauses are allowed subject to these rules.

33. Nothing contained in this Schedule shall prevent the carrier either from refusing to enter into any contract of carriage, or from making stipulations which do not conflict with the provisions of this Schedule.

34. Omitted.

35. The expression 'days' when used in these rules means current days not working days.

36. Omitted.

#### SECOND SCHEDULE

*(As applicable to carriage by air not being international carriage)*

Provision as to liability of carriers in the event of the death of a passenger.

1. The liability shall be enforceable for the benefit of such of the members of the passenger's family as sustained damage by reason of his death.

In this rule the expression "Member of a family" means wife or husband, parent, step-parent, grand-parent, brother, sister, half-brother, half-sister, child, step-child, grand-child:

Provided that in deducing any such relationship as aforesaid any illegitimate person and any adopted person shall be treated as being, or as having been, the legitimate child of his mother and reputed father or, as the case may be, of his adopters.

2. An action to enforce the liability may be brought by the personal representative of the passenger or by any person for whose benefit the liability is under the last preceding rule enforceable, but only one action shall be brought in respect of the death of any one passenger, and every such action by whomsoever brought shall be for the benefit of all such persons so entitled as aforesaid.

3. Subject to the provisions of the next succeeding rule the amount recovered in any such action, after deducting any costs not recovered from the defendant, shall be divided between the persons entitled in such proportions as the Court may direct.

4. The Court before which any such action is brought may at any stage of the proceedings make any such order as appears to the Court to be just and equitable in view of the provisions of the First Schedule to the Indian Carriage by Air Act, 1934 (20 of 1934), as applicable to carriage by air, not being International carriage, limiting the liability of a carrier.

[No. F. 1-A/23-55.]

K. GOPALAKRISHNAN, Dy. Secy.

